BOZEMAN MT

THE TRANSPORTATION BOARD OF BOZEMAN, MONTANA

TB AGENDA

Wednesday, July 27, 2022

This meeting will be held both in-person and also using Webex, an online videoconferencing system. You can join this meeting:

Via Webex:
Click the Register link, enter the required information, and click submit.
Click Join Now to enter the meeting.

Via Phone: This is for listening only if you cannot watch the stream, channel 190, or attend in-person
United States Toll
+1-650-479-3208
Access code: 2553 906 2211

If you are interested in commenting in writing on items on the agenda please send an email to agenda@bozeman.net prior to 12:00pm on the day of the meeting.
Public comments will be accepted in-person during the appropriate agenda items.
You may also comment by visiting the Commission's comment page.
You can also comment by joining the Webex meeting. If you do join the Webex meeting, we ask you please be patient in helping us work through this hybrid meeting.
As always, the meeting will be streamed through the Commission's video page and available in the City on cable channel 190.

A. Call to Order - 6:00 PM

B. Disclosures

C. Changes to the Agenda

D. Public Service Announcements

E. Approval of Minutes

E.1 Minutes of the June 22, 2022 Transportation Advisory Board. (Ross)

F. Consent Items

G. Public Comments
This is the time to comment on any matter falling within the scope of the Transportation Board. There will also be time in conjunction with each agenda item for public comment relating to that item but you may only speak once. Please note, the Board cannot take action on any item which

does not appear on the agenda. All persons addressing the Board shall speak in a civil and courteous manner and members of the audience shall be respectful of others. Please state your name and place of residence in an audible tone of voice for the record and limit your comments to three minutes.
General public comments to the Board can be found on their Laserfiche repository page.

H. Special Presentations

I. Action Items

I.1 Adoption of Resolution 2022-04 a Resolution of the Transportation Advisory Board supporting staff recommendations for the Fowler Avenue Connection project.(Ross)

J. FYI/Discussion

J.1 Orientation on Capital Improvements Programing and Impact Fees (Saunders)

J.2 Discussion of upcoming parking changes in the Unified Development Code (UDC) (Saunders)

K. Adjournment

For more information please contact the City Clerk's Office, agenda@bozeman.net
General information about the Transportation Board can be found in our Laserfiche repository.

This board generally meets the fourth Wednesday of the month from 6:00 pm to 8:00 pm.

Citizen Advisory Board meetings are open to all members of the public. If you have a disability and require assistance, please contact our ADA coordinator, Mike Gray at 406-582-3232 (TDD 406-582-2301).
In order for this Board to receive all relevant public comment in time for this meeting, please submit via the Commission Comment Page or by emailing agenda@bozeman.net no later than 12:00 PM on the day of the meeting. Public comment may be made in person at the meeting as well.

BOZEMAN MT

Memorandum

REPORT TO: Transportation Board

FROM: Nicholas Ross, Director of Transportation and Engineering

SUBJECT: Minutes of the June 22, 2022 Transportation Advisory Board.

MEETING DATE: July 27, 2022

AGENDA ITEM TYPE: Minutes

RECOMMENDATION: I move to approve the June 22, 2022 Transportation Board Meeting Minutes.

STRATEGIC PLAN: 1.1 Outreach: Continue to strengthen and innovate in how we deliver information to the community and our partners.

BACKGROUND: Minutes from the June 22, 2022 Transportation Advisory Board.

UNRESOLVED ISSUES: None

ALTERNATIVES: As recommended by the Board.

FISCAL EFFECTS: None

Attachments:
062222 Transportation Board Meeting Minutes

Report compiled on: July 25, 2022

THE TRANSPORTATION BOARD MEETING OF BOZEMAN, MONTANA

MINUTES

JUNE 22, 2022

Present: Bryce Gordon, Christine Roberts, Shannon Mahoney, Courtney Oyler, Kelly Pohl, Paul Reichert, Cyndy Andrus
Absent: None

Staff Present at the Dias: Director of Transportation and Engineering Nicholas Ross, Economic Development Parking Program Manager Mike Veselik, Public Works Office Manager Marcy Yeykal

A) 00:02:30 Call to Order - 6:00 PM

B) 00:02:38 Disclosures

C) 00:02:46 Changes to the Agenda
00:02:51 Chair Pohl moved agenda item F.1 Fowler Avenue Connection Project from the Special Presentations to G.1 under FYI/Discussion and then the Residential Parking fees will be moved to item G.2. Chair Pohl also excused Deejay Newell absence.

00:03:27 Motion C) Changes to the Agenda

Paul Reichert: Motion
Shannon Mahoney: 2nd

00:03:46 Vote on the Motion *to amend C) Changes to the Agenda.* ***The Motion carried 6 - 0***

Approve:
Bryce Gordon
Christine Roberts
Shannon Mahoney
Courtney Oyler
Kelly Pohl
Paul Reichert

Disapprove:
None

D) 00:04:16 Approval of Minutes

D.1 Minutes of the May 25, 2022 Transportation Advisory Board.
052522 Transportation Board Meeting Minutes

00:04:33 Christine Roberts made a motion to amend the 05/25/2022 minutes to reflect that staff provide a more itemized work plan of the Transportation Demand Management action items for the next year.

00:06:00 Motion D) Approval of Minutes as amended

Courtney Oyler: Motion
Shannon Mahoney: 2nd

00:06:14 Vote on the Motion *to approve D) Approval of Minutes as amended.* ***The Motion carried 6 - 0***

Approve:
Bryce Gordon
Christine Roberts
Shannon Mahoney
Courtney Oyler
Kelly Pohl
Paul Reichert

Disapprove:
None

E) 00:06:27 Public Comments

00:07:35 Marilee Brown, Public Comment

Marilee Brown commented on how projects are paid for and how this committee works and how the board will direct staff and the commission in the future.

00:10:04 Kelly Wiseman, Public Comment

Kelly Wiseman commented on the nature of the Bozeman High School Parking District.

00:14:26 Ralph Zimmer, Public Comment

Ralph Zimmer commented that the board should be reviewing, studying and commenting on the cities Capital Improvement Plan.

F) Special Presentations

G) 00:16:35 FYI/Discussion
G.1 00:16:49 Fowler Avenue Connection Project
Fowler Transportation Board Meeting 062222
00:17:50 Staff/Consultant Presentation

Danielle Scharf and Joey Stazick from Sanderson Stewart, as well as Community Engagement Coordinator Dani Hess and Nick Ross Director of Transportation and Engineering presented the Fowler Ave Project.

00:49:36 Questions of Staff/Consultants

01:20:49 Public Comment

01:20:59 Marilee Brown, Public Comment

Marilee Brown commented on how to minimize conflict between scooters/e-bikes and vehicles, the wildlife corridor and the Hawk lights at the Davis/Oak Street roundabout.

01:23:35 Joe Giannetti, Public Comment

Joe Giannetti commented on how he is championing for a 2 lane road.

01:26:02 Ward Ward, Public Comment

Ward Ward commented on the fowler project from an environmental standpoint.

01:30:09 Discussion

Nicholas Ross, Director of Transportation and Engineering addressed some of the concerns from the public

Chair Pohl spoke about the next opportunity for public engagement is June 29th at Fire Station 3 from 4pm to 6pm.

G.2 01:50:13 University and Bozeman High School Residential Parking Permit District Permit Fees
RPPD and BHS FY22 Budget.pdf
TAB Memo--Permit Rates for RPPD and BHS Permit Districts.doc
01:50:23 Staff Presentation

Economic Development Parking Program Manager Mike Veselik presented the University and Bozeman High School Residential Parking Permit District Permit Fees.

01:53:33 Question of Staff

01:57:41 Public Comment

01:58:06 Kathy Powell, Public comment

Kathy Powell commented on her appreciation of having the Parking Permit District and how it has changed over the years.

02:00:57 Discussion

Vice Chair Reichert commented that if the board will make changes in the future he would like to see a map of the district.

Chair Pohl made a note about how staff listened to what the neighborhoods requested and there was not an increase of the permits at this time.

H) 02:02:17 Adjournment

BOZEMAN MT

Memorandum

REPORT TO: Transportation Board

FROM: Nick Ross, Director of Transportation and Engineering

SUBJECT: Adoption of Resolution 2022-04 a Resolution of the Transportation Advisory Board supporting staff recommendations for the Fowler Avenue Connection project.

MEETING DATE: July 27, 2022

AGENDA ITEM TYPE: Resolution

RECOMMENDATION: I move the Transportation Advisory Board approve Resolution 2022-04 as presented (as amended).

STRATEGIC PLAN: 4.5 Housing and Transportation Choices: Vigorously encourage, through a wide variety of actions, the development of sustainable and lasting housing options for underserved individuals and families and improve mobility options that accommodate all travel modes.

BACKGROUND: Fowler Avenue is a north/south transportation corridor in west Bozeman. Fowler Avenue exists in several disconnected segments between Huffine Lane and Oak Street. In the 2017 Transportation Master Plan the Fowler Avenue Connection Project was specifically identified as MSN-17: Reconstruct Fowler Avenue. In addition to being specifically included in the TMP the Fowler Avenue Connection project addresses elements in the Strategic Plan and the Community Plan that include strategically investing in infrastructure, pursuing urban approaches to issues such as multimodal transportation, infill, density, connected trails and parks, and walkable neighborhoods, and improving mobility options that accommodate all travel modes.

The attached staff report details the staff recommendations for the Fowler Avenue Connection Project. Resolution 2022-04 supports the Transportation and Engineering Staff recommendations contained in that report and outline in the resolution.

UNRESOLVED ISSUES: None.

ALTERNATIVES: As proposed by the Board.

FISCAL EFFECTS: None.

Attachments:

Resolution2022-04_FowlerPreDesign.pdf
20220724_FINAL Fowler pre-design Staff Report.pdf

Report compiled on: July 22, 2022

Transportation Board

RESOLUTION 2022-04

A RESOLUTION OF THE TRANSPORTATION BOARD OF THE CITY OF BOZEMAN, MONTANA, SUPPORTING THE STAFF RECOMMENDATIONS FOR THE FOWLER AVENUE CONNECTION PROJECT.

WHEREAS, the City of Bozeman has granted the Transportation Board an advisory role to the City Commission on matters of transportation,

WHEREAS, the City of Bozeman Strategic Plan includes goals 2.2 Infrastructure Investments, 3.1 Public Safety, 4.1 Informed Conversation on Growth, 4.2 High Quality Urban Approach, 4.3 Strategic Infrastructure Choices, 4.5 Housing and Transportation Choices and,

WHEREAS, the 2017 Transportation Master Plan identifies the Fowler Avenue Connection Project specifically as MSN-17: Reconstruct Fowler Avenue, from the intersection with Huffine Lane to the intersection with Oak Street, to a five-lane urban minor arterial standard ,

WHEREAS, access and connectivity provided by a well-connected arterial and collector system supports critical social and economic mobility for residents and businesses,

WHEREAS, completion of the collector and arterial network ensures an equitable distribution of transportation demand, and,

NOW THEREFORE, BE IT RESOLVED that the Transportation Board supports the Staff Recommendation for the Fowler Avenue Connection Pre-Design phase as follows:

1. One travel lane in each direction
2. Turn lanes as needed
3. Traffic signal intersection control at the intersection of Babcock Street
4. Roundabout intersection control at the intersection of Durston Road
5. Shared use path on at least one side of the corridor
6. Utilization of flexible design criteria to provide context sensitive solutions with a goal of preserving existing tree canopy

Passed and adopted by the Transportation Advisory Board of the City of Bozeman, Montana, at a session held on the 27th day of July 2022.

_____

Kelly Pohl, Chair
Transportation Board

ATTEST:

_____

Nicholas Ross, Director of Transportation and Engineering
City of Bozeman

Fowler Staff Report

Background

Context

Fowler Avenue is a north/south transportation corridor in west Bozeman. Fowler Avenue exists in several disconnected segments between Huffine Lane and Oak Street. It currently exists as a 2-lane street from Huffine Lane to West Babcock Street and again as a 2-lane street for one quarter mile south of Durston Road. North of West Oak Street Fowler becomes Davis Lane, which then connects to East Valley Center Road. Fowler Avenue is identified as a minor arterial in the 2017 Transportation Master Plan (TMP). Minor arterials are a key component of the transportation network and work to augment the principal arterial system. They accommodate trips of moderate length and distribute travel to smaller geographic areas without impacting local streets. Fowler Avenue corridor is half way between the principal arterials of N 19th Avenue and Cottonwood Road.

History

The Fowler Avenue corridor has been identified as a minor arterial in the City's Transportation Master Plan since at least 1990. Most recently in the 2017 TMP the Fowler Avenue Connection Project was specifically identified as MSN-17: Reconstruct Fowler Avenue, from the intersection with Huffine Lane to the intersection with Oak Street, to a five-lane urban minor arterial standard.

In addition to being specifically included in the TMP the Fowler Avenue Connection project addresses elements in the Strategic Plan and the Community Plan that include strategically investing in infrastructure, pursuing urban approaches to issues such as multimodal transportation, infill, density, connected trails and parks, and walkable neighborhoods, and improving mobility options that accommodate all travel modes.

Purpose and Need

Purpose

The purpose of the Fowler Avenue Connection project is to enhance connectivity of the transportation system for all users. A robust and well connected transportation system benefits city residents, businesses, and visitors by improving social and economic mobility.

The 2017 TMP includes visionary principals such as:

- "The community desires a connected, smarter transportation system through land use and transportation planning. This type of system allows citizens to choose what mode of travel they desire, and makes travel more convenient while promoting an active lifestyle by choice for its citizens"
- "Efficient travel and increased mobility is desirable to minimize transportation and associated costs."

The Fowler Avenue Connection project is currently needed given the rapid growth in the north and west areas of Bozeman. Disconnections of the north/south arterial and collector network have forced travel

on to local streets while also threatening to overburden adjacent collectors and arterials. This gap in the network induces diversion to shortest path of travel, which has the impact of increasing vehicle miles traveled and emissions while threatening safety of users on adjacent streets. The Fowler Avenue Connection project serves to provide an additional direct connection that will reduce the load on these adjacent streets. In addition to the general need for improved north/south connectivity in this part of the city, emergency service providers such as Fire, Police, and EMS are in need of a more direct connection. The Bozeman Fire Department and County 911 facilities on Davis Lane will benefit from the improved connectivity of this project. Additionally, the project will enhance connectivity to the growing medical services available along East Valley Center Road near Davis Lane.

Phase and recommendations

Pre-design

The Fowler Avenue Connection is working towards completion of the pre-design phase of the project. During this phase of the project, the City gathers baseline information required to establish a high level approach for detailed design development. Pre-design includes community engagement, survey, geotechnical, environmental, and the development of traffic projections. This baseline information is then used to conduct the alternatives analysis.

Key components of the pre-design phase include number of lanes, intersection type, bicycle and pedestrian facility types, and landscaping preferences.

Recommendation

Based on conclusion of the pre-design phase, Department of Transportation and Engineering staff recommend the Fowler Avenue Connection project advance into preliminary engineering with the following conditions:

1. One travel lane in each direction
2. Turn lanes as needed
3. Traffic signal intersection control at the intersection of Babcock Street
4. Roundabout intersection control at the intersection of Durston Road
5. Shared use path on at least one side of the corridor
6. Utilization of flexible design criteria to provide context sensitive solutions with a goal of preserving existing tree canopy

Explanation of recommendation

A critical aspect of the recommendation is design flexibility. The Fowler Avenue corridor traverses different adjacent land use contexts. The staff recommendation sets the high level vision and establishes the critical features of the corridor. These critical features will accomplish the purpose of enhancing transportation connectivity for all modes. Implementing them with design flexibility will enable a final design that is sensitive to the varying contexts. This means that Fowler Avenue may not carry the same exact typical section for the entire length. Instead the critical elements will be implemented with flexibility that reacts to the varying contexts of the corridor. This flexible design approach will allow the city to balance the future needs for connectivity with residents input on impact to adjacent neighborhoods and concerns with loss of trees and habitat. Additionally, this approach accounts for the rising costs of construction with an incremental approach to future needs.

Community engagement

The pre-design phase incorporated a community engagement plan guided by the City of Bozeman Engage Bozeman framework. The Fowler Avenue Connection page on the Engage Bozeman platform was the hub for the engagement process and received over 3,400 total visits and engaged 2,257 unique visitors referred to as 'Aware Participants'. Of the citizens who visited the webpage, 658 are considered 'Informed Participants' as they viewed a video, downloaded a project document, visited multiple webpages, or contributed feedback. Correspondingly, 160 community members are deemed as 'Engaged Participants' meaning they completed an online survey, participated in a poll, contributed written comments called 'Stories', or placed pins and comments on the 'Places' interactive map.

Other community engagement opportunities included eight focus group meetings, three field trips, two community open houses, two city commission presentations, and two Transportation Board meetings.

The community engagement effort was focused around preference of street configuration (number of lanes), intersection traffic control, types of multimodal facilities, and streetscape/landscape elements. Residents clearly indicated a desire for the project to have a minimal foot print, that it maintain the existing mature trees and habitat, and that it have a low speed limit.

A two lane roadway with turn lanes as needed was supported by a vast majority. A three lane roadway with a dedicated two way left turn lane is believed to be unnecessary by most. The five lane roadway recommended in the TMP received almost no support. The vast majority expressed a desire for roundabout control at the intersections of Babcock Street and Durston Road.

Paved shared-use paths on both sides of the street was preferred by the vast majority of residents for bicycle and pedestrian users. Protected on-street bike lanes were requested by some commuters while traditional unprotected on-street bike lanes like those currently in place in town received almost no support. Residents expressed desire for transit facilities including accessible stops with shelters.

The majority support boulevards and medians for plantings, snow storage, and traffic calming. Xeriscaping with drought-tolerant, low-water, native plantings is strongly supported for climate resiliency and ease of maintenance. Some concern was expressed that xeriscaping would preclude street and median trees which would calm traffic and suppress traffic noise.

Traffic analysis

Traffic analysis for the pre-design phase started with collection of new peak-hour turning movement counts at the project intersections, as well as a review and analysis of crash data provided by MDT and the Bozeman Police Department. Future corridor traffic volumes were then projected to assess the volume of traffic that may utilize the Fowler Avenue corridor once the connection is made. Background growth associated with population increases in the area over the design life of the project were estimated in order to produce the future volume projections. These volumes were then used for the evaluation of traffic operations and ultimately, the evaluation of alternatives for improvement. The design year for the project is 2041, a 20 year planning horizon.

Traffic analysis was performed for two roadway typical sections: 1) one travel lane in each direction and a turn lane (3 lane), and 2) two travel lanes in each direction and a turn lane (5 lane). In addition intersection analysis were performed for the existing signalized intersection at Huffine Lane and the existing roundabout intersection at Oak Street. For the future intersections at Babcock Street and

Durston Road, both signalization and roundabout control were evaluated. In addition to analysis of the design year, corridor and intersection sensitivity analyses were conducted to outline the duration of a particular design element maintaining a LOS C or LOS D threshold. A 2% annual growth rate was used in the capacity calculations. The sensitivity analysis concluded that single lane roundabout intersections with the 3-lane option maintain LOS C on all approaches for 15 years. An LOS D can be maintained for 19 years on all approaches for the Babcock Street intersection and 17 years on all approaches for the Durston intersection. For the corridor analysis, the results show that the southern section of Fowler Avenue (Huffine to Babcock) would maintain LOS C for 12 years and LOS D for 18 years. The middle section of Fowler Avenue (Babcock to Durston) would maintain LOS C for 19 years and the north section (Durston to Oak) would maintain LOS C for 17 years.

Based on this sensitivity analysis, staff recommendation finds the appropriate balance between community input requesting smaller footprint and future transportation demand. Without a well-connected grid like that which Fowler will provide, adjacent streets would inevitably need widened into larger footprints in order to handle the diverted demand that the Fowler connection will serve.

This balance of future capacity need and community input may indicate that policy-level change needs to be considered regarding LOS standards. As Bozeman grows, the acceptable level of delay is likely to increase.

Environmental review

City of Bozeman's baseline environmental survey process was adapted from MDT's formal environmental process that must comply with federal requirements. Although this is a city-funded project, environmental elements of the Categorical Exclusion process that would be performed under National Environmental Policy Act (NEPA)/Montana Environmental Policy Act (MEPA) were completed for this project. This included an evaluation of aquatic resources, biological resources, and hazardous materials and substances that may be present in the project area through a visual assessment and information review. For aquatic resources, which include streams, wetlands, and other regulated aquatic resources, a wetland delineation and waterbody assessment was completed. For biological resources, baseline conditions were assessed for general habitat and wildlife species, which include species of concern and protected species. These assessments were done to evaluate potential project effects on the identified resources. In addition, a hazardous materials and substances evaluation was performed to identify whether there are other environmental concerns (e.g., Superfund Sites, spills, contaminated soils, etc.).

Pre-design environmental review found no conditions that would preclude the project from moving forward.

Right of Way

The city has acquired right of way for the Fowler Avenue Connection project in several locations over the last several years. However, significant right of way for this project has yet to be acquired. As part of the pre-design phase, the city's right of way consultant has had initial conversations with the owners of the remaining parcels. Several parcels where right of way is needed are not currently annexed into the city.

The staff recommendation includes consideration of the impact to adjacent properties and the right of way needs associated with the considered alternatives. In recommending a signal at the Babcock intersection, the desire for roundabouts voiced during the community engagement was balanced with the impact to properties adjacent to this intersection.

Opinion of Probable Cost

The pre-design effort included development of opinions of probably cost for each alternative. The estimated costs range from $17.2 million for the 3-lane with signals to $21.1 million for the 5-lane with roundabouts. These costs do not include acquisition of right of way. These estimates reflect the significant increase in cost of construction experienced at the local, state, and federal levels.

In developing the recommendation, staff looks to the idea of incremental improvement. The critical purpose of this project is to enhance connectivity for this part of the city. The design flexibility that is core to the recommendation will enable the city to fulfill this purpose while addressing overall cost concerns. The final design will consider utilization of existing roadway segments in part to address cost while also being responsive to community input.

Conclusion

The Fowler Avenue Connection project will provide enhanced transportation connectivity for all modes between neighborhoods, parks, schools, commercial centers, and medical services. Staff recommends that the Fowler Avenue Connection project include two travel lanes, turn lanes as needed, traffic signal control at the intersection of Babcock Street, roundabout control at the intersection with Durston Road, and shared use path on at least one side of the corridor. The final design of the corridor will employ design flexibility in implementation of this recommendation to address community input, cost impacts, and right of way considerations.

BOZEMAN MT

Memorandum

REPORT TO: Transportation Board

FROM: Taylor Lonsdale, Transportation Engineer
Nick Ross, Director of Transportation and Engineering

SUBJECT: Orientation on Capital Improvements Programing and Impact Fees

MEETING DATE: July 27, 2022

AGENDA ITEM TYPE: Policy Discussion

RECOMMENDATION: None.

STRATEGIC PLAN: 2.2 Infrastructure Investments: Strategically invest in infrastructure as a mechanism to encourage economic development.

BACKGROUND: The City draws from multiple sources to construct and maintain its street system. Impact Fees are a primary revenue source for construction of new and expanded roads and traffic control. The Community Development Board is assigned the formal responsibility for making recommendations regarding impact fees to the City Commission. The Transportation Board makes recommendations on transportation related policy issues. Impact fees overlap both areas of responsibility. In order to help recommendations and policy development be effective and coordinated. The City's Capital Improvement Program (CIP) is prepared annually and coordinates policies and projects for many City services, including transportation.
This agenda item is training on the impact fee program and CIP process so the Transportation Board can understand and engage effectively. Chris Saunders, Community Development Manager, will provide the presentation along with members of the Transportation and Engineering Department. Some information on impact fees and the CIP is attached to this agenda.
Impact fee web page on the City's website.
Capital Improvement Plan FY2023-2027 web page on the City's website.
Infrastructure viewer on the City's website (the CIP information becomes available if you click on the + sign next to the Transportation layer group and then click the box next to the CIP layer)

UNRESOLVED ISSUES: None

ALTERNATIVES: None.

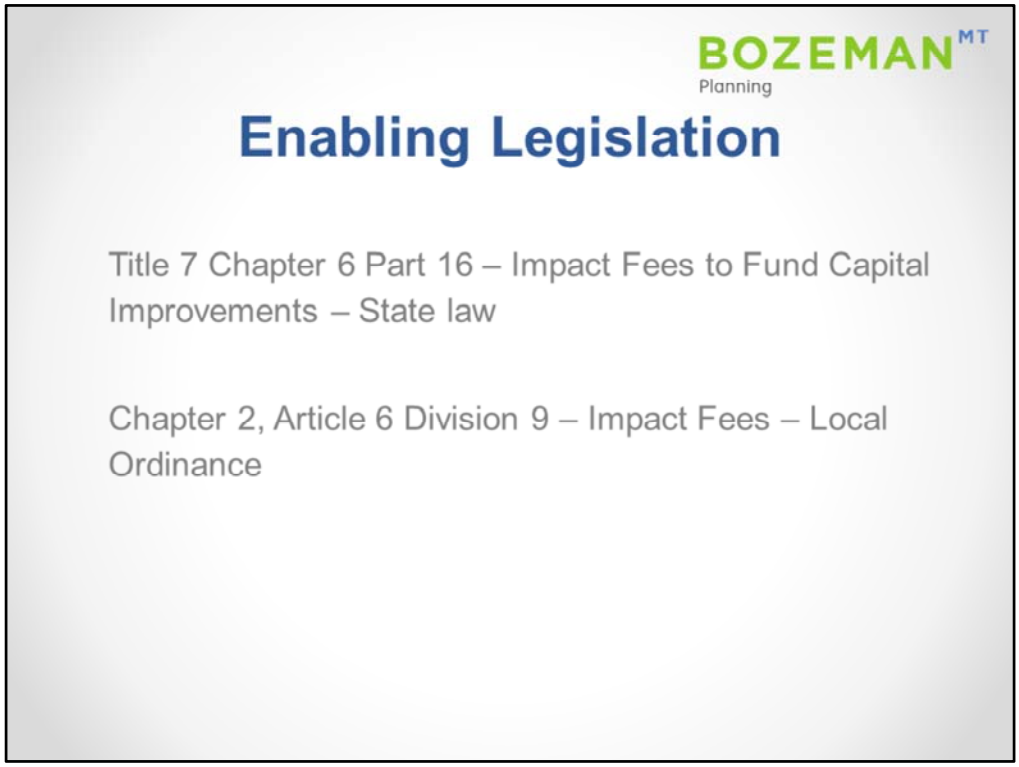
FISCAL EFFECTS: None.

Attachments:

July 27, 2022 T-Board training.pdf
T-Board Training 7-27-2022 memo.pdf

Report compiled on: July 20, 2022

Will describe what impact fees are, mechanics of IF, and then role of IFAC and Transportation Board.



State authorization for impact fees is general with performance standards. Local code fills out the details.

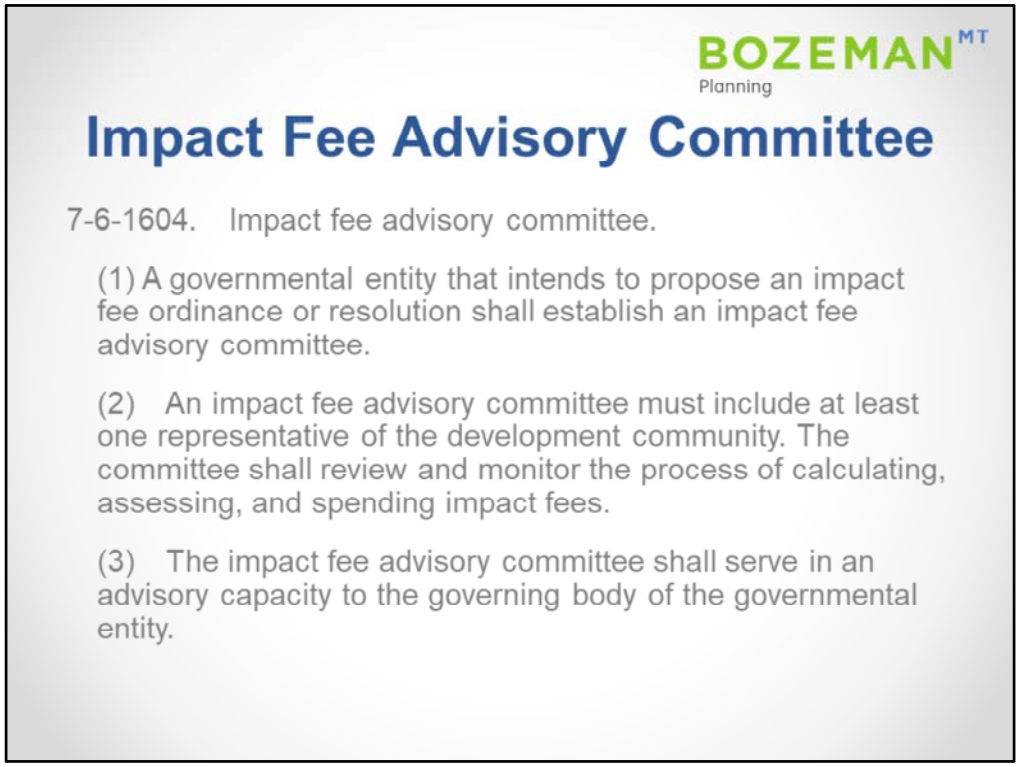
As a fee, they are applicable to all users, ex. City pays its own fees. As a fee, only pay if you use the service and add new demand.
Bozeman Impact Fees have been in place since 1996.
State authorizes six fees types directly and leaves open opportunity for others with appropriate processes.

Equity – pay for self, not others; Projects not unnecessarily delayed, fees roughly proportionate to demand for service, can't be used to fix flaws, fees applicable to all
Concurrency – infrastructure to support growth provided along with growth
Fee payment process predictable rather than one-off system exactions, avoids long delays in installation, supports cost share projects that reduce total system cost.
Self adjusting for growth rates as fees respond to new construction.

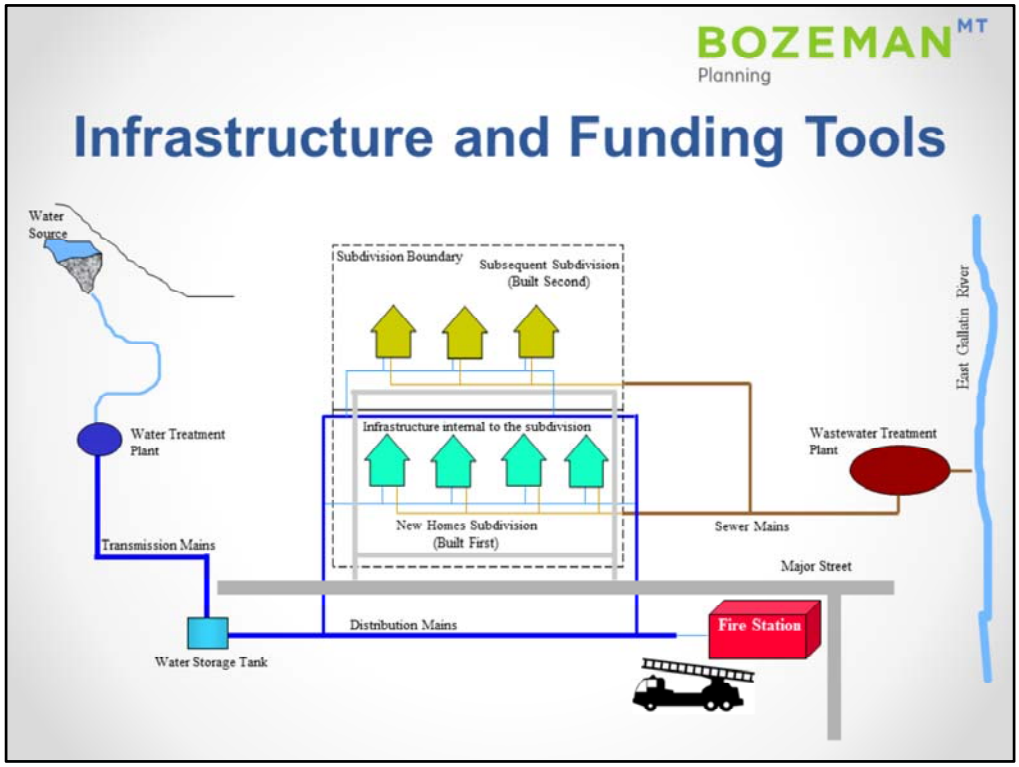
BOZEMAN MT
Planning

Standards for Impact Fees

- Capacity expanding
- Long term life cycle (minimum of 10 years)
- Expansion only, no maintenance or operations
- Rough proportion between fee and demand increase
- Factually based
- Documented methodology
- Must stay up to date
- Capital Improvement Program
- Not used to fix existing deficiencies



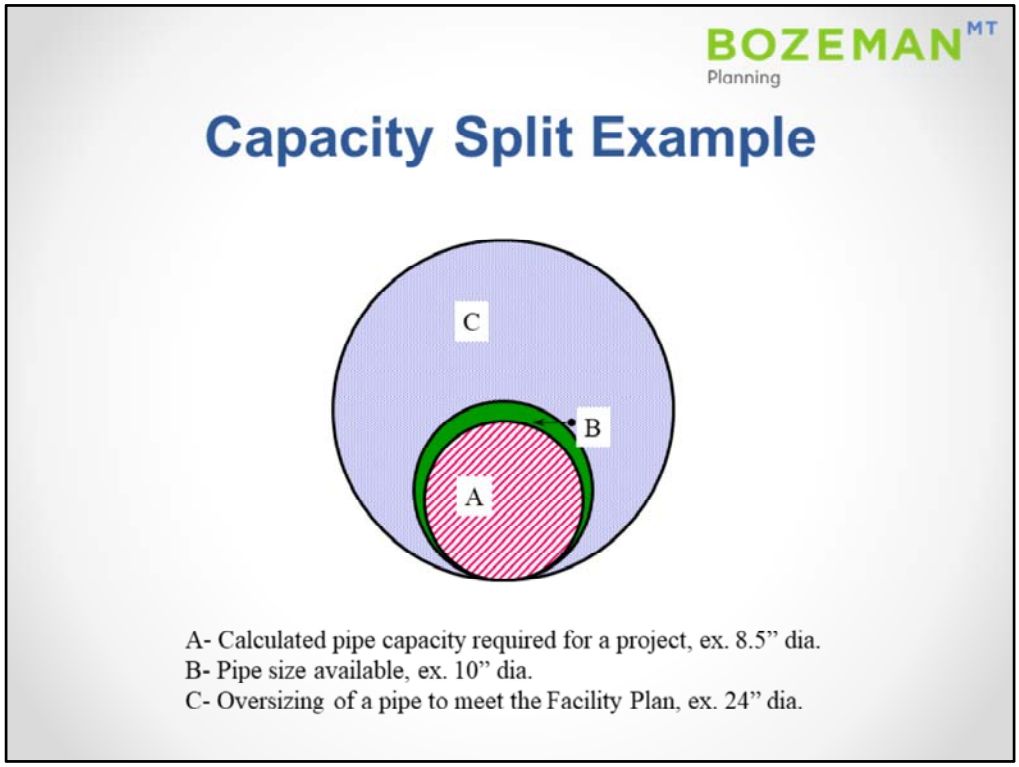
Membership is up to local government so long as #2 is met.
IFAC meets assigned duties during annual CIP cycle and during Fee Study development. Will address both shortly.



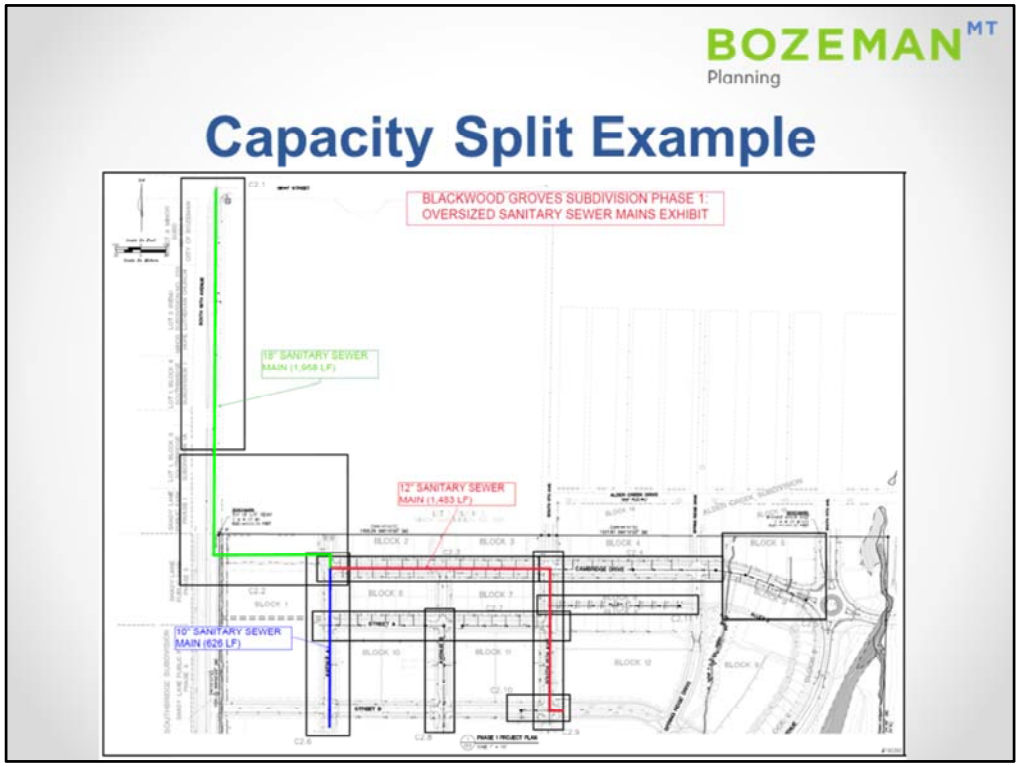
Impact fees are matched with other funding. Mix and match for best fit and outcomes. E.g. CIL Water Rights for source, IF for large piping and treatment, Project related improvements.

State and Federal standards shape much infrastructure. E.g. Clean Water Act, storage requirements, DEQ and ARM ex 17.38.101 – what is a main, when is a main required, DEQ circular 2- 226 pages – wastewater mains 10 feet from water pipes (38.31), 8 inch min pipe diameter (33.1). Cross over to

Decision to install is long term – Wtr/Swr pipe expected 70+ year service life.



Example of how the same pipe may have elements of different funding and how IF might divide that out. Ex. Blackwood Groves sewer -

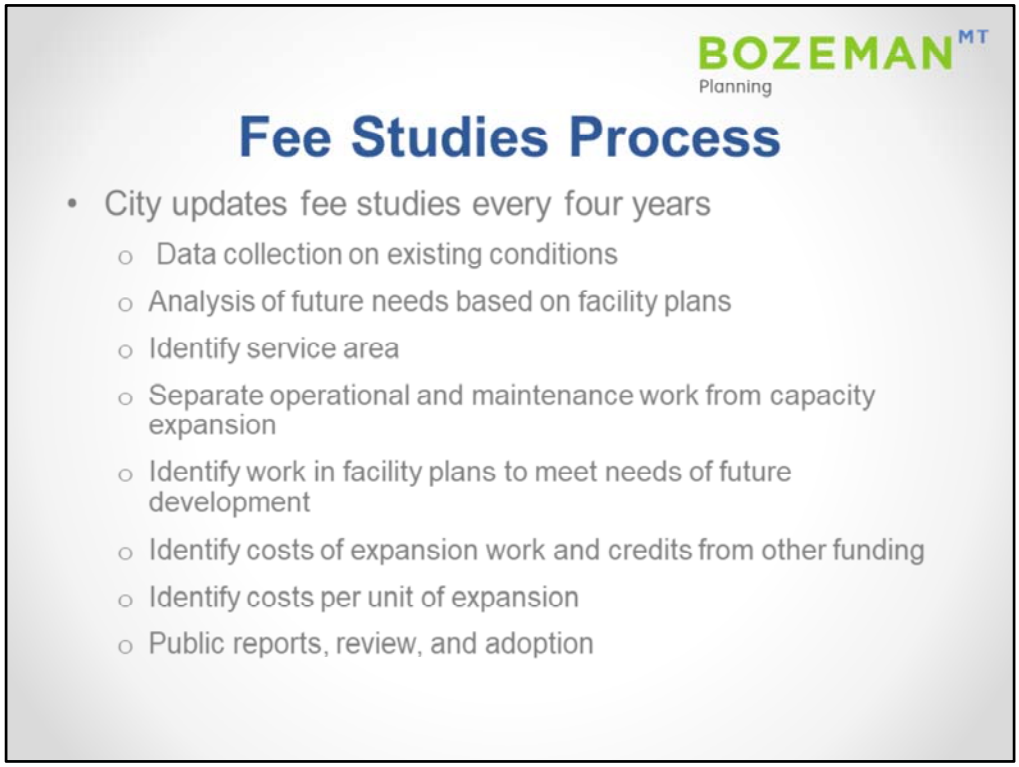


Example of how the same pipe may have elements of different funding and how IF might divide that out. Ex. Blackwood Groves sewer

Equity, concurrency, remove barriers, cost effectiveness of installation all with this one project

Cost efficiency – not damage streets, not redo work, repeat traffic control and design costs avoided.

Facility plan guides maximum sizing, minimum development standards direct the rest



Fee studies a key process to sort out what infrastructure meets IF criteria. – Calculating and assessing role of IFAC

Fee studies are largely built on facility plans for future work and the Capital Improvement Programs for various facilities.

Each fee is independent of the others and fee studies can proceed at different times.

BOZEMAN MT
Planning

Fee Studies Process

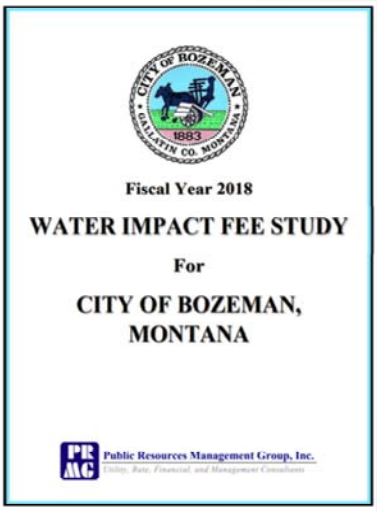
Calendar Year 2022 - Effective January 1, 2022

Water Impact Fee

Residential (Square Feet of Living Area)	*Fee Per Unit*
1400 or less	$ 2,099.75
1401-1600	$ 2,669.05
1601-1800	$ 2,819.75
1801-2000	$ 2,999.48
2001-2200	$ 3,209.34
2201-2400	$ 3,389.06
2401-2600	$ 3,568.79
2601-2800	$ 3,629.07
2801-3000	$ 3,809.90
3001 or more	$ 4,048.79
Group Quarters per person	$ 1,348.48

Non-Residential (per meter size)	*Fee per Meter*
0.75	$ 4,499.77
1.00	$ 7,499.25
1.50	$ 14,999.62
2.00	$ 24,000.28
3.00	$ 45,001.08

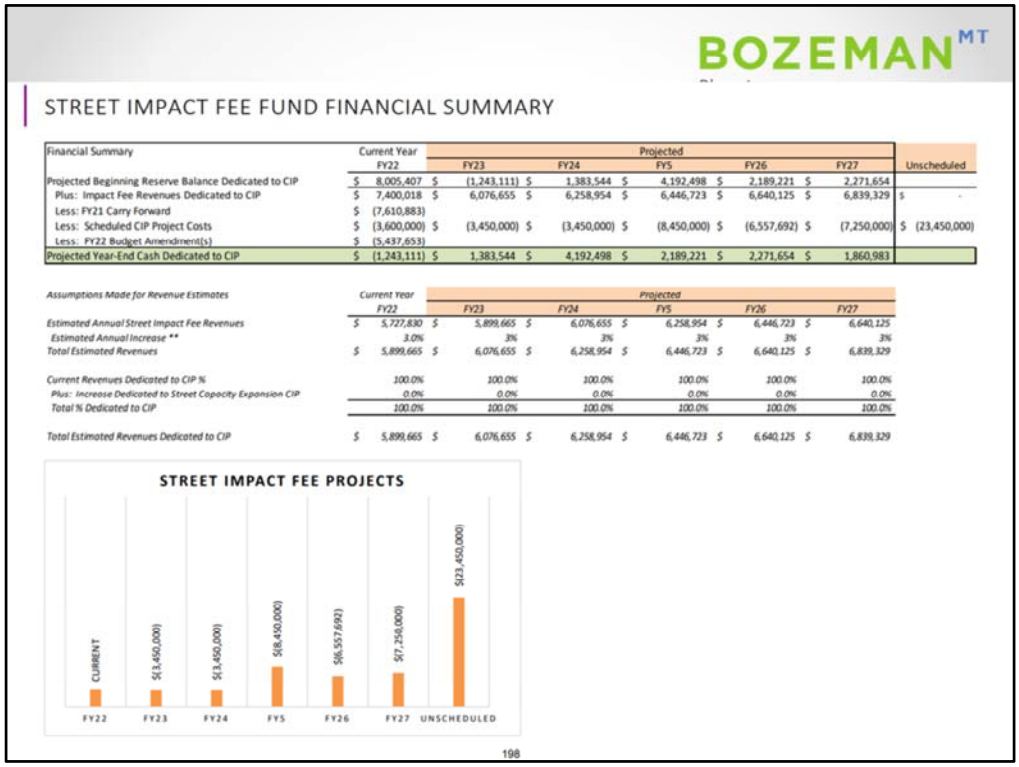
Above 3 inch requires an individualized calculation



Fee study breaks information down to unit costs per demand metric. In case of water that is home size (connected to expected occupancy by size by people) or water meter size for non-residential uses.

Expending role of IFAC happens through CIP.
Draws from facility plans, developer requests, staff knowledge of community to form recommendations.

Covers all City revenues, not just impact fees. Coordinate across funding sources. Ex. Arterial and collector, transportation IF, stormwater, sewer, water, street maintenance could all apply to different elements of one street project.



BOZEMAN MT

STREET IMPACT FEE FUND FINANCIAL SUMMARY

Financial Summary	Current Year FY22	Projected FY23	FY24	FY5	FY26	FY27	Unscheduled
Projected Beginning Reserve Balance Dedicated to CIP	$ 8,005,407	$ (1,243,111)	$ 1,383,544	$ 4,192,498	$ 2,189,221	$ 2,271,654	
Plus: Impact Fee Revenues Dedicated to CIP	$ 7,400,018	$ 6,076,655	$ 6,258,954	$ 6,446,723	$ 6,640,125	$ 6,839,329	$ -
Less: FY21 Carry Forward	$ (7,610,883)						
Less: Scheduled CIP Project Costs	$ (3,600,000)	$ (3,450,000)	$ (3,450,000)	$ (8,450,000)	$ (6,557,692)	$ (7,250,000)	$ (23,450,000)
Less: FY22 Budget Amendment(s)	$ (5,437,653)						
Projected Year-End Cash Dedicated to CIP	$ (1,243,111)	$ 1,383,544	$ 4,192,498	$ 2,189,221	$ 2,271,654	$ 1,860,983	

Assumptions Made for Revenue Estimates	*Current Year FY22*	*Projected FY23*	*FY24*	*FY5*	*FY26*	*FY27*
Estimated Annual Street Impact Fee Revenues	$ 5,727,830	$ 5,899,665	$ 6,076,655	$ 6,258,954	$ 6,446,723	$ 6,640,125
*Estimated Annual Increase ** *	*3.0%*	*3%*	*3%*	*3%*	*3%*	*3%*
Total Estimated Revenues	$ 5,899,665	$ 6,076,655	$ 6,258,954	$ 6,446,723	$ 6,640,125	$ 6,839,329
Current Revenues Dedicated to CIP %	*100.0%*	*100.0%*	*100.0%*	*100.0%*	*100.0%*	*100.0%*
Plus: Increase Dedicated to Street Capacity Expansion CIP	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*	*0.0%*
Total % Dedicated to CIP	*100.0%*	*100.0%*	*100.0%*	*100.0%*	*100.0%*	*100.0%*
Total Estimated Revenues Dedicated to CIP	$ 5,899,665	$ 6,076,655	$ 6,258,954	$ 6,446,723	$ 6,640,125	$ 6,839,329

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Single page summary for the fund.
Impact fees must have a positive balance at the close of the projected period.

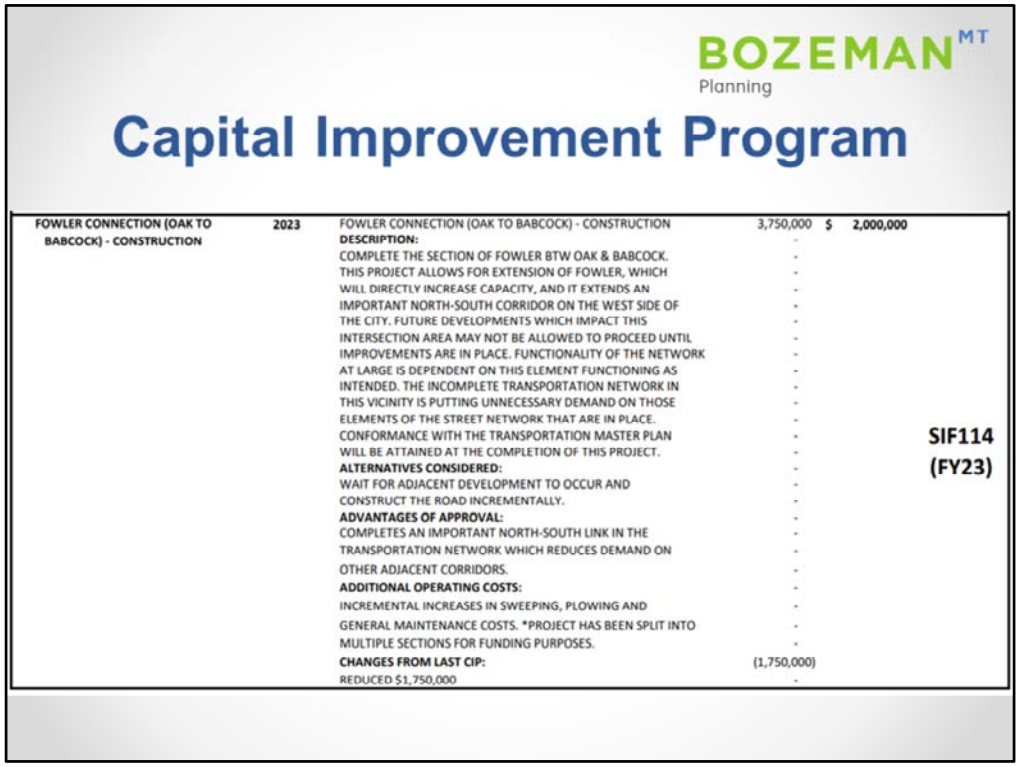
BOZEMAN MT
Planning

Capital Improvement Program

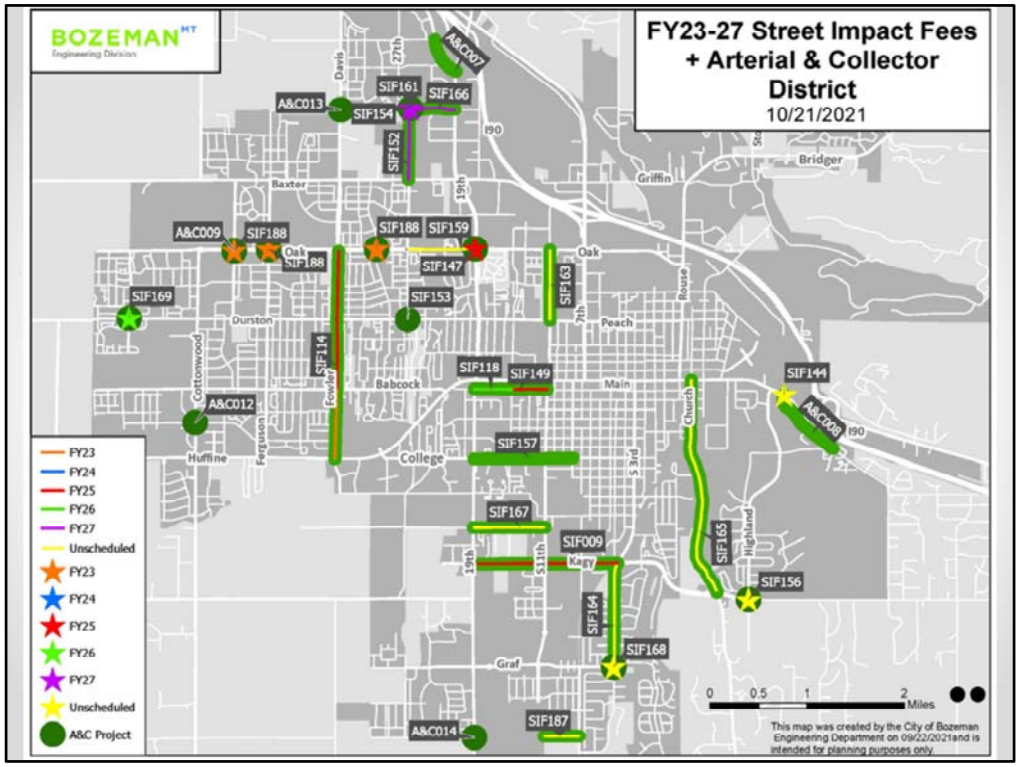
STREET IMPACT FEE FUND PROJECT SUMMARY

		Current CIP Requests					
Project #	Project Name	FY2023	FY2024	FY2025	FY2026	FY2027	Unscheduled
SIF001	RIGHT OF WAY ACQUISITION	400,000	450,000	500,000	550,000	600,000	-
SIF001	RIGHT OF WAY ACQUISITION - BABCOCK 11TH TO 15TH	-	-	1,200,000	-	-	-
SIF001	RIGHT OF WAY ACQUISITION - FOWLER	1,000,000	-	-	-	-	-
SIF009	KAGY (WILLSON TO 19TH) DESIGN & CONSTRUCTION	-	-	3,000,000	2,000,000	-	-
SIF112	HIGHLAND & MAIN INTERSECTION REIMBURSEMENT	-	-	-	850,000	-	-
SIF114	FOWLER CONNECTION (HUFFINE TO OAK)	2,000,000	3,000,000	3,000,000	-	-	-
SIF118	BABCOCK - 15TH TO 19TH				1,607,692		
SIF144	HAGGERTY/MAIN INTERSECTION IMPROVEMENTS	-	-	-	-	-	2,000,000
SIF147	OAK & 19TH INTERSECTION IMPROVEMENTS	-	-	750,000	-	-	-
SIF149	BABCOCK - 11TH TO 15TH	-	-	-	-	300,000	1,800,000
SIF152	N 27TH - BAXTER TO CATTAIL	-	-	-	-	4,000,000	-
SIF154	CATTAIL & 27TH INTERSECTION	-	-	-	-	1,200,000	-
SIF156	HIGHLAND/KAGY INTERSECTION IMPROVEMENTS	-	-	-	-		2,000,000
SIF159	OAK-27TH TO 19TH WIDENING	-	-	-	-	400,000	3,400,000
SIF160	27TH: BAXTER>CATTAIL DESIGN	-	-	-	325,000	-	-
SIF161	CATTAIL/27TH INTERSECTION	-	-	-	125,000	-	-
SIF163	N 11TH - DURSTON TO OAK	-	-	-	-	-	750,000
SIF164	S 3RD - KAGY TO GRAF IMPROVEMENT	-	-	-	-	-	1,500,000
SIF165	CHURCH: MAIN TO KAGY IMPROVEMENT	-	-	-	-	-	9,000,000
SIF166	CATTAIL: 19TH TO 27TH IMPROVEMENT	-	-	-	-	750,000	-
SIF167	LINCOLN: 11TH TO 19TH IMPROVEMENT	-	-	-	-	-	1,000,000
SIF168	3RD/ GRAF/ WAGONWHEEL IMPROVEMENT	-	-	-	-	-	1,000,000
SIF169	DURSTON/ LAUREL PARKWAY IMPROVEMENT	-	-	-	1,000,000	-	-
SIF187	BLACKWOOD - 11TH TO 3RD	-	-	-	100,000	-	1,000,000
SIF188	OAK ST INTERSECTIONS - DESIGN	50,000	-	-	-	-	-
	Fiscal Year Totals	3,450,000	3,450,000	8,450,000	6,557,692	7,250,000	23,450,000

Schedule of specific projects, estimated cost (finalized through design and bidding process), and schedule of work.
Unscheduled projects helps identify likely next priorities for scheduling.
Staff nominates projects, private parties can also nominate projects for consideration. CC decides.



Example project description detail. Why this one? Consequences.



Identify location of projects, combination of funding (dark green background shows AC) with impact fees.

Note focus on infill support consistent with growth policy, completing networks supports mobility options, reduces travel and emissions in support of sustainability plan.

BOZEMAN MT
Planning

MEMORANDUM

TO: **TRANSPORTATION BOARD**

FROM: **CHRIS SAUNDERS, COMMUNITY DEVELOPMENT MANAGER**

DATE: **JULY 27, 2022**

SUBJECT: **IMPACT FEE AND CAPITAL IMPROVEMENT PROGRAM TRAINING**

The City has multiple processes regarding the funding, construction, and maintenance of our transportation system. The Transportation Board (TB) has certain advisory responsibilities about these programs, see Resolution 5326. The Community Development Board also has responsibilities which touch on transportation, see Resolution 5330. The primary role of the Community Development Board (CDB) is in its capacity as the Impact Fee Advisory Committee (IFAC) is oversight on the calculation and use of impact fees. This responsibility is assigned in state law.

The advisory board processes provide an opportunity for public input and awareness of the transportation policies, impact fee program, and that use of fees meets established criteria for approval. The Staff will provide training and an overview of the impact fee program and Capital Improvement Programs (CIP) on July 27, 2022. This memo is in support of that presentation and training.

There are numerous references to state and local law in this memo. If the reference has a pattern of ##-#-### or is followed by MCA that is a reference to state law. If the reference has a pattern of XX.XXX.XXX or is followed by BMC that is a reference to Bozeman law.

Authority for Impact Fees

The State authorizes but does not require local governments to have impact fees. Local regulations must be in alignment with enabling legislation – 7-6-16 et. seq. MCA, passed by the state. The impact fee enabling language has some elements that are quite specific and some that are quite general. There are specific purposes and certain procedures required..

> (5) (a) "Impact fee" means any charge imposed upon development by a governmental entity as part of the development approval process to fund the additional service capacity required by the development from which it is collected. An impact fee may include a fee for the administration of the impact fee not to exceed 5% of the total impact fee collected.
>
> (b) The term does not include:
>
> (i) a charge or fee to pay for administration, plan review, or inspection costs associated with a permit required for development;

(ii) a connection charge;

(iii) any other fee authorized by law, including but not limited to user fees, special improvement district assessments, fees authorized under Title 7 for county, municipal, and consolidated government sewer and water districts and systems, and costs of ongoing maintenance; or

(iv) onsite or offsite improvements necessary for new development to meet the safety, level of service, and other minimum development standards that have been adopted by the governmental entity.

Bozeman implements impact fees through 2.06.1600 et. seq. BMC. This part of the municipal code contains the locally adopted standards to implement state requirements and to establish local procedures. Bozeman chooses to use impact fees for Fire/Emergency Services, Water, Sewer, and Transportation services. Impact fees can only be used to fund construction to serve new development.

The great majority of impact fee administration occurs at the staff level. The City Manager appoints an Impact Fee Coordinator (IFC) who takes care of most daily work. The IFC is Chris Saunders. The impact fee collection and expenditure follows standard governmental practices for accounting and reporting. Further details are provided below.

Growth Policy

Bozeman Community Plan 2020 is the seventh long range city-wide land use plan for the community. The BCP2020 and its predecessors provide guidance, along with relevant facility plans, for priorities in how the City installs infrastructure. For several decades, the facility plans and growth policies have encouraged redevelopment, infill, and careful incremental expansion of the City. All of these activities require infrastructure capacity.

Data

Infrastructure Viewer. The City has created a web based viewer for infrastructure information. This can show locations and details on public utilities like water and sewer pipes, facility plan information for where service expansions are expected, and floodplains. This is "live" information and as new work is completed it is added to the map. If you click on a + sign next to the name of a layer it will open more detailed information. The infrastructure viewer includes information on existing and future construction.

Capital Improvement Program. The Capital Improvement Program (CIP) is available through the City's website. It looks at capital spending from all funding sources over the next five years. It coordinates between funding sources, provides transparency in decision making, and establishes discipline in funding decisions. The CIP is a core element of the City's budget process.

Community Development Board Responsibilities Regarding Impact Fees and CIP

A local government wishing to establish impact fees must have an impact fee advisory committee. The City Commission has assigned these duties to the Community Development Board.

> **7-6-1604. Impact fee advisory committee.** (1) A governmental entity that intends to propose an impact fee ordinance or resolution shall establish an impact fee advisory committee.
>
> (2) An impact fee advisory committee must include at least one representative of the development community. The committee shall review and monitor the process of calculating, assessing, and spending impact fees.
>
> (3) The impact fee advisory committee shall serve in an advisory capacity to the governing body of the governmental entity.

There are two activities by which the CDB meets its responsibilities. 1) The City prepares an impact fee study for each type of fee every four years. This study examines existing conditions, identifies needed future improvements which impact fees may fund, identifies costs of construction, and establishes the cost per unit of service. These various elements are required by 7-6-1602. The IFAC provides a public forum for this work. The City chooses a contractor to do the analysis and prepare the needed documentation. These studies are the basis for assessing and collecting impact fees.

2) Each fall the City prepares a CIP which identifies upcoming construction projects and funding sources. This is the process the City uses to expend impact fees. The IFAC reviews the recommended CIP prepared by staff and provides a recommendation to the City Commission. This typically takes two meetings and happens in late October and early November. Members of the public can suggest projects for inclusion. A key element of the CIP is the scheduling of work.

Ex Parte Communication

Review of impact fee studies and recommendations for Capital Improvements to the City Commission are policy actions. The City has discretion within the state set boundaries for impact fees to find a balance between the many community priorities.

The public and applicant have the right to be aware of what factors are being considered during evaluation of impact fees and to have decisions made by impartial parties. Policy making actions and the restrictions on contact outside of public meetings are less than for quasi-judicial actions like subdivision. However, there is still a need for transparency in decision making. For this reason, Board members should encourage commenters to submit comments through the formal channels of agenda@bozeman.net email or presentation at a meeting where the item is being discussed. If someone discusses a pending application with you please notify other board members on the record at the beginning of the action item on the agenda of the substance of the conversation.

If you have questions on an application that you do not believe can properly wait until the public meeting please contact the staff member identified on the staff report.

Making Adequate Findings

Board decisions must adequately explain what the Board decided and upon what considerations it based its findings. Findings are the legal footprints of a review to explain how the reviewer progressed from facts through established policies to the final decision. Findings must be based on substantial evidence in light of the whole record of the review.

Findings:

1. Provide a framework for making principled decisions
2. Help make analysis orderly and reduce likelihood of missing steps in the analysis
3. Enable all interested parties to determine whether and on what basis judicial review of a decision should be sought
4. Show to a reviewing court the basis for the agency's action
5. Show to the public that review is careful, reasoned, and equitable

The staff recommendations that come during evaluation of CIP proposals or fee studies address all five purposes. The Board does not have to reinvent all the staff findings. In the cover memos included with each packet recommended language will be included to adopt the staff findings for that item. If the Board concludes the staff findings are correct, no further findings are needed.

If the Board finds differently than staff on an element of review the Board member should articulate the criteria, relevant facts, and how they reached a different conclusion. Such Board statements then become part of the record for the City Commission to consider in making their own decision. Depending on the degree of difference, the final motion by the Board may need to be revised to identify the differences in findings from the staff recommendation.

Public Comment

The public is welcome to comment on any item that comes before the Community Development Board. Public comment can be submitted by any member of the public in support, opposition, or otherwise. Regardless of the content of the comment, for it to be actionable in the review process it must connect back to the review criteria. This becomes an important part of the Findings process if as a result of comment a decision is made. Comments not related to the criteria are still accepted as part of the review but are not actionable to justify a decision.

BOZEMAN MT

Memorandum

REPORT TO: Transportation Board

FROM: Chris Saunders, Community Development Manager

SUBJECT: Discussion of upcoming parking changes in the Unified Development Code (UDC)

MEETING DATE: July 27, 2022

AGENDA ITEM TYPE: Policy Discussion

RECOMMENDATION: None.

STRATEGIC PLAN: 4.1 Informed Conversation on Growth: Continue developing an in-depth understanding of how Bozeman is growing and changing and proactively address change in a balanced and coordinated manner.

BACKGROUND: The City of Bozeman is undertaking revisions to the Unified Development Code. Potential changes to parking requirements will be presented and discussed.

UNRESOLVED ISSUES: None.

ALTERNATIVES: As suggested by the Board.

FISCAL EFFECTS: None.

Report compiled on: July 25, 2022